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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Davis, et al.

Serial No.: 09/359,083

Filed: July 22, 1999

For: INTERNET PAYMENT,
AUTHENTICATION AND LOADING
SYSTEM USING VIRTUAL SMART
CARD

)
) Examiner: PWU, J.

)
) Group Art Unit: 3624

)
) Attorney Docket: VISAP016

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Box Non-Fee Amendment, Washington, DC 20231 on June 10, 2002.

Signed: Deborah Neill

Deborah Neill

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents and Trademarks
Box Non-Fee Amendment
Washington, DC 20231

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Dear Sir:

In response to the Restriction Requirement dated May 10, 2002, Applicant hereby provisionally elects species A, Figs. 3-5, to prosecute in the above-identified patent application, with traverse. Applicant recognizes that the claims shall be restricted to species A if no generic claim is finally held allowable. Applicant reserves the right to reintroduce claims of a similar scope in a divisional application.

Even if the claims are drawn to patentably distinct or independent inventions, MPEP § 803 provides that "[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes

claims to distinct or independent inventions.” Although the scope of the claims of each species varies and Applicant agrees that the claims are patentably distinct, many of the claimed features are similar. Accordingly, Applicant respectfully submits that it would not unduly burden the examiner to simultaneously examine the claims of species A-F.

Should the Examiner have any questions concerning this matter, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER, WEAVER & THOMAS

A handwritten signature in cursive script, appearing to read 'Elise R. Heilbrunn', followed by a long horizontal line.

Elise R. Heilbrunn
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